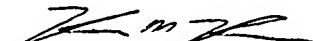





hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 17, 2005

Signature:


(Kevin M. Kocun)


Docket No.: SPINE 3.0-436 CIP CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ralph et al.

Application No.: 10/781,021

Group Art Unit: 3738

Filed: February 18, 2004

Examiner: B. Pellegrino

For: INTERVERTEBRAL SPACER DEVICE
UTILIZING A BELLEVILLE WASHER
HAVING RADIALYEXTENDING
GROOVES

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

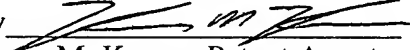
REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)

Dear Sir:

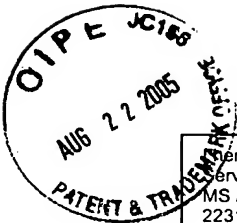
It is respectfully requested that the references cited in the enclosed form be considered pursuant to 37 C.F.R. § 1.97(c). Please charge deposit account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our Deposit Account No. 12-1095.

Dated: August 17, 2005

Respectfully submitted,

By 
Kevin M. Kocun, Patent Agent
Registration No.: 54,230
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Agent for Applicant

08/24/2005 ZJUHR1 00000001 121095 10781021
01 FC:1806 180.00 DA



DFW

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: August 17, 2005 Signature: *[Signature]*
(Kevin M. Kocun, Patent Agent)

Docket No.: SPINE 3.0-436 CIP CONT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ralph et al.

Application No.: 10/781,021

Group Art Unit: 3738

Filed: February 18, 2004

Examiner: B. Pellegrino

For: INTERVERTEBRAL SPACER DEVICE
UTILIZING A BELLEVILLE WASHER
HAVING RADIALY EXTENDING
GROOVES

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: August 17, 2005

Respectfully submitted,

By *[Signature]*
Kevin M. Kocun, Patent Agent
Registration No.: 54,230
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Agent for Applicant



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/781,021
				Filing Date	February 18, 2004
				First Named Inventor	James D. Ralph
				Art Unit	3738
				Examiner Name	B. Pellegrino
Sheet	1	of	2	Attorney Docket Number	SPINE 3.0-436 CIP CONT

U.S. PATENT DOCUMENTS					
Exami ner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-2,193,122	03/1940	Crabbs	
	AB*	US-2002/0111681-A1	08-15-2002	Ralph et al.	
	AC*	US-2002/0111682-A1	08-15-2002	Ralph et al.	
	AD*	US-2002/0111683	08-15-2002	Ralph et al.	
	AE*	US-2002/0111684-A1	08-15-2002	Ralph et al.	
	AF*	US-2002/0111685-A1	08-15-2002	Ralph et al.	
	AG*	US-2002/0111686-A1	07-20-2004	Ralph et al.	
	AH*	US-2003/0014112-A1	01-16-2003	Ralph et al.	
	AI*	US-2003/0069586-A1	04-10-2003	Errico et al.	
	AJ*	US-2003/0069642-A1	04-10-2003	Ralph et al.	
	AK*	US-2003/0074067-A1	04-17-2003	Errico et al.	
	AL*	US-2003/0078663-A1	12-30-2003	Ralph et al.	
	AM*	US-2003/0078664	04-24-2003	Ralph et al.	
	AN*	US-2003/0078665-A1	11-11-2003	Ralph et al.	
	AO*	US-2003/0078666-A1	08-26-2003	Ralph et al.	
	AP*	US-2003/0191534-A1	01-27-2004	Viart et al.	
	AQ*	US-2003/0229358-A1	12-11-2003	Errico et al.	
	AR*	US-2004/0002762-A1	01-01-2004	Hawkins	
	AS*	US-4,303,001	12-01-1981	Trungold	
	AT*	US-4,759,769	07/1988	Hedman et al.	
	AU*	US-4,932,969	06-12-1990	Frey et al.	
	AV*	US-4,997,432	03-05-1991	Keller	
	AW*	US-5,034,254	07/1991	Cologna et al.	
	AX*	US-5,112,178	05/1992	Overhues et al	
	AY*	US-5,314,477	05-24-1994	Marnay	
	AZ*	US-5,401,269	03-28-1995	Buttner-Janz et al.	
	AA1*	US-5,425,773	06-20-1995	Boyd et al.	
	AB1*	US-5,458,642	10-17-1995	Beer et al.	
	AC1*	US-5,507,816	04-16-1996	Bullivant	
	AD1*	US-5,556,431	09-17-1996	Buttner-Janz	
	AE1*	US-5,562,738	10-08-1996	Boyd et al.	
	AF1*	US-5,674,296	10-07-1997	Bryan et al.	
	AG1*	US-5,676,701	10-14-1997	Yuan et al.	
	AH1*	US-5,676,702	10-14-1997	Ratron	
	AI1*	US-5,683,465	11-04-1997	Shinn et al.	
	AJ1*	US-5,755,796	05-26-1998	Ibo et al.	
	AK1*	US-5,782,832	07-21-1998	Larsen et al.	
	AL1*	US-5,827,328	10-27-1998	Buttermann	
	AM1*	US-5,865,846	02-02-1999	Bryan et al.	
	AN1*	US-5,888,226	03-30-1999	Rogozinski	
	AO1*	US-5,893,889	04-13-1999	Harrington	
	AP1*	US-5,895,428	04-20-1999	Berry	
	AQ1*	US-5,899,941	05-04-1999	Nishijima	
	AR1*	US-6,001,030	12-14-1999	Bryan et al.	
	AS1*	US-6,001,130	12-14-1999	Bryan et al.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/781,021
				Filing Date	February 18, 2004
				First Named Inventor	James D. Ralph
				Art Unit	3738
				Examiner Name	B. Pellegrino
Sheet	2	of	2	Attorney Docket Number	SPINE 3.0-436 CIP CONT

	AT1*	US-6,019,792	02-01-2000	Cauthen	
	AU1*	US-6,039,763	03-21-2000	Shelokov	
	AV1*	US-6,063,121	05-16-2000	Xavier et al.	
	AW1*	US-6,113,637	09-05-2000	Gill et al.	
	AX1*	US-6,136,031	10-24-2000	Middleton	
	AY1*	US-6,146,421	11-14-2000	Gordon et al.	
	AZ1*	US-6,156,067	12-05-2000	Bryan et al.	
	AA2*	US-6,179,874-B1	01-30-2001	Cauthen	
	AB2*	US-6,228,118-B1	05-08-2001	Gordon	
	AC2*	US-6,368,350	04-09-2002	Erickson et al.	
	AD2*	US-6,416,551	07-09-2002	Keller	
	AE2*	US-6,517,580	02-11-2003	Ramadan et al.	
	AF2*	US-6,527,804	03-04-2003	Gauchet et al.	
	AG2*	US-6,610,092	08-26-2003	Ralph et al.	
	AH2*	US-6,645,249-B2	11/2003	Ralph et al.	
	AI2*	US-6,669,730	12-30-2003	Ralph et al.	
	AJ2*	US-6,669,731	12-30-2003	Ralph et al.	
	AK2*	US-6,673,113	01-06-2004	Ralph et al.	
	AL2*	US-6,682,562	01-27-2004	Viart et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)					

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ CITE NO.: Those application(s) which are marked with an single asterisk () next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ² Applicant's unique citation designation number (optional). ³ See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--